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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,946	11/30/2001	Taeko Hayase	0445-0313P	3991

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EXAMINER
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COLE, ELIZABETH M

ART UNIT	PAPER NUMBER
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1771

NOTIFICATION DATE	DELIVERY MODE
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09/12/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b> 09/996,946	<b>Applicant(s)</b> HAYASE ET AL.	
	<b>Examiner</b> Elizabeth M. Cole	<b>Art Unit</b> 1771	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-9,11,14,15,18-20 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-9, 11, 14-15, 18-20, 22-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1, 9, 14-15, 18, 22-25 rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2000-212866 in view of JP 10-273884 and further in view of Textile Glossary definition of cellulosic fibers. JP '866 discloses an airlaid nonwoven comprising thermoplastic fibers having a length of 3-25 mm, a fineness of 0.5-50 denier and a crimp number of 5-30. The fibers may be conjugate fibers. The fibers are present in an amount of from 3-50%. The airlaid nonwoven further comprises 50-97% of cellulosic fibers. See page 6. The nonwoven may be bonded at the crossover points. See pages 29-30. JP '9666 is silent regarding the number of tips of the thermoplastic fibers which are exposed on the surface. However, since JP '866 teaches the same fabric which is made by the same method as the instant fabric and which comprises the same components in the same amounts, it is reasonable to presume that JP '866 would have the same number of tips, since the specification teaches that the tips are provided by forming the material by the particular method and with the particular materials claimed. JP '866 teaches at page 31 that the airlaid nonwoven disclosed by JP '866 can be laminated to another layer such as a cellulosic fabric such as wool, silk, linen or cotton, or to a paper layer. These layers correspond to the claimed liquid retentive sheet. JP '866 differs from the claimed invention because JP '866 does not teach incorporating thin fibers into the wipe, (although JP '866 does teach fusion bonding the conjugate fibers at crossover points, which corresponds to the limitation regarding the fusion bonding of the thick fibers). JP '844 teaches an absorptive nonwoven fabric which comprises fiber A and fiber B. The fibers can comprise polyester fibers and can be in the form of sheath/core conjugate fibers. See paragraph 0023. JP '844 teaches that each of fibers A and B

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can be different deniers and that the particular denier can be chosen in view of the properties which are desired in the finished product. For example, employing a finer fibers such as fibers having a denier of 0.5-6 denier improves the absorptivity of the fabric. The fibers have a length of 3-30mm which encompasses the claimed length. See paragraphs 0026-0027. Therefore, the prior art teaches all the claimed elements. The combination of the known elements by known methods to yield predictable results renders the claimed invention obvious. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated a second fiber having a denier of 0.5-6 in the fabric of JP '866, in view of the teaching of JP '844 that fibers can be mixed in nonwoven wipes and that the properties of the wipe can be changed depending on the denier of the fibers employed. The fiber size of 0.6-5 denier would encompass the claimed fineness of 1-5 dtex. With regard to claim 21, JP '866 teaches 50-97% cellulosic fibers. With regard to claims 22-23, it is noted that JP '866 teaches employing cellulosic fibers. As set forth in the attached Textile Glossary, examples of cellulosic fibers are cotton and regenerated cellulose or rayon. Therefore, since JP '866 teaches cellulosic fibers broadly, then the use of any of the particular types of cellulosic fibers would have been obvious to one of ordinary skill in the art.

3. Claims 2 and 11, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2000-212866 in view of JP 10-273884 as applied to claims 1, 9-10, 14-15, 18, 22-23 above, and further in view of WO 01/52713 to Kakiuchi et al as set forth in the previous action. With regard to claim 19-20, WO '713 teaches a detergent comprising an electrolyte which is applied to wipes.

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4. Claims 3-4, 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2000-212866 in view of either of JP 10-273884 as applied to claims 1, 9-10, 14-15, 18, 22-23 above, and further in view of Kobayashi et al, EP 926,288 as set forth in the previous action.
5. Applicant's arguments filed 7/10/07 have been fully considered but are moot in view of the new grounds of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth M. Cole whose telephone number is (571) 272-1475. The examiner may be reached between 6:30 AM and 6:00 PM Monday through Wednesday, and 6:30 AM and 2 PM on Thursday.

Mr. Terrel Morris, the examiner's supervisor, may be reached at (571) 272-1478.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The fax number for all official faxes is (571) 273-8300.

/Elizabeth M. Cole/  
Primary Examiner, Art Unit 1771

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